

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:16-cv-03088-ELR
)	
STATE OF GEORGIA,)	
)	
Defendant.)	

NOTICE OF FILING SUPPLEMENTAL AUTHORITY

The United States, by and through undersigned counsel, hereby gives notice of filing supplemental authority, *United States v. Harris County, et al.*, C.A. No. 4:16-CV-2331 (S.D. Tex. Apr. 26, 2017). A copy of the *Harris County* decision is attached.

The recent *Harris County* decision squarely rejects the holding and rationale of *C.V. v. Dudek*, 209 F. Supp. 3d 1279 (S.D. Fla. 2016), on which Georgia relies to assert that the United States lacks standing to bring this action under Title II of the Americans with Disabilities Act. *See* Dkt. #9 (Motion to Dismiss at 2; Memorandum in Support at 3, 9-12). In *Harris County*, the Court denied the motion to dismiss, holding – in keeping with the arguments urged here by the United States – that “the plain language of the ADA, its legislative history, and the implementing regulations

clearly establish that the United States has authority to bring lawsuits under Title II of the ADA.” The court further stated that the result it reached “is reflected by every court (except *C.V. v Dudek*) to address the question.” Slip Op. at 1 (citations omitted).

Dated: April 27, 2017

Respectfully submitted:

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L.R. 7.1(D) CERTIFICATION

I certify that this brief has been prepared with one of the font and point selections approved by the Court in Local Rule 5.1(C). Specifically, this brief has been prepared using 14-pt Times New Roman Font.

/s/ Aileen Bell Hughes
AILEEN BELL HUGHES
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CERTIFICATE OF SERVICE

I hereby certify that I have this day filed the foregoing document with the Clerk of Court using the CM/ECF system, which automatically sent counsel of record e-mail notification of such filing.

This 27th day of April, 2017.

/s/ Aileen Bell Hughes
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